

Raritan Bay pollution lawsuit targets 8 companies, state agencies

Posted by LCraven April 16, 2009 10:56AM

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Two environmental groups will announce today that they plan to sue eight public and private entities over pollution in and around Raritan Bay.

The nonprofits, Edison Wetlands Association and NY/NJ Baykeeper, said they have sent letters of intent to NL Industries Inc.; NL Environmental Management Services Inc.; Sayreville Economic and Redevelopment Agency; O'Neill Properties Group; Sayreville Seaport Associates; Middlesex County; the Turnpike Authority; and New Jersey Department of Transportation.



Alexandra Pais/For The Star-

Ledger The Environmental Protection Agency put up fencing and signs near a jetty in the Laurence Harbor section of Old Bridge.

"It's been far too long that toxic pollution in the Raritan has threatened the safety and health of the families who use the river," said Robert Spiegel, executive director of the EWA. "Our legal action will accomplish what the DEP repeatedly failed to do -- hold those who poisoned New Jersey's longest river accountable for their actions."

The nonprofits maintain the contamination comes from National Lead, which operated on a 400-acre site in Sayreville from 1935 to 1982, and from inefficient storm water programs run by transportation authorities.

The nonprofits said the state DOT and Turnpike Authority do not do anything to reduce the sediment contamination, which eventually flows into the river.

The National Lead site is surrounded on three sides by the Raritan River, including the crossings of the Garden State Parkway, Route 9 and Route 35. It is currently being redeveloped by O'Neill Properties Group.

The case is being handled for the nonprofits by Terris, Pravlik & Millian, LLP, a public interest law firm that has dealt with environmental issues, including the chromium suits against Honeywell in Jersey City.

Janice Gorin, an attorney representing the nonprofits, said they have not heard from any of the parties to

which the letters were sent.

The mayor of Sayreville, who was notified by a reporter of the letters of intent, thought the case seemed misguided. "It's interesting all the lawsuits are on the Sayreville side. There are a number of towns along the Raritan River. Why are we being singled out?" Sayreville Mayor Kennedy O'Brien said. "This is a nebulous type of lawsuit. it's pick-on-Sayreville day."

Joe Orlando, a spokesman for the Turnpike Authority said he didn't receive the letter and could not comment until his agency received official notice.

Johathan Jaffe, a spokesman for O'Neill Properties Group, said the organization was unaware of the letter and declined to comment.

The filing seeks to stop the discharge of hazardous substances and remediate sediments that present a risk to human health and the environment. The letter said the entities have violated the federal Resource Conservation and Recovery Act and the Clean Water Act by polluting the sediments of the Raritan River from the National Lead site and nearby highways in Sayreville.

The DOT and the Turnpike Authority, accused of violating the Clean Water Act, have 60 days to respond to the letter before formal legal action is taken. The Clean Water Act, said Gorin, states that entities cannot discharge pollution into the water without a permit. Gorin said the DOT and the Turnpike Authority are not complying with their permit.

Gorin said all eight entities are in violation of the RCRA, which she said allows citizens to bring a suit if there is an endangerment to human health and the environment. According to this act, she said the entities have 90 days to respond before formal legal action is taken.

"Although the extent of the contamination has been known for years, nothing has been done to remedy the endangerment," she said. "We would like to accomplish remediation of the Raritan River and sources that may be contributing to the problem."

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govfailure says...

I applaud the Environmental Community for doing what our government fails to do. Why are we paying taxes to an agency who obviously prefers to protect the welfare of chemical industry stockholders than the health and environment of the public? We need a government that serves the public. We have no confidence the State can represent the interests of the public. Corzine has not separated from Wall Street.

Our taxes should go to the communities and organizations doing the State's job. I have more confidence these groups have the right priorities - #1 the public.

Posted on 04/16/09 at 3:32PM

RightFullyOn says...

This is a total ripoff scam. What really happens in 99.9% of these lawsuits is the lawyers all get together

and propose to settle everything out of court because it would cost millions more if the lawyers had to go to court. They come up with a sum of money which makes the whole thing go away. The money goes into the lawyers pockets and some to these groups that started the suit. Nobody admits any wrong doing.

And guess where all the money comes from?

Our pockets of course, where else is there?

Taxes and tolls going to lawyers and funding these organizations so they can sit back and scheme another ripoff against the people.

Meanwhile the pollution issue is forgotten about until everybody needs another round of MONEY.
Ripoff.

Posted on 04/16/09 at 6:17PM

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